

**Bureau of Land Management
Winnemucca District Office
Categorical Exclusion**

☒ HRFO (1000)

☐ BRFO (3000)

☐ District ()

| | |
|--|-------------------------------|
| CX#: DOI-BLM-NV-W010-2012-0017-CX | Date: 02/16/2012 |
| Regulatory Authority (CFR or Law): 2930 | Lease / Case File / Serial #: |
| BLM Manual: H-2930-1 | SRP # NVW01000-12-03 |
| Subject Function Code: 8372 | |
| Project Lead Preliminary Review: Is the project located within a Sage Grouse 75% Bird Breeding Density Area? No | |

1. BLM District Office: Winnemucca District Office
2. Name of Project Lead: Joey Carmosino
3. Project Title: 2012 VORRA Off-Road Racing
4. Applicant:

Wesley Harbor
591 Sunshine Lane
Reno, NV 89502

5. Project Description:

Valley Off Road Racing Association has proposed to conduct an OHV race on July 14 & 15, 2012 using the event route approved under 2011 SRP # NVW01000-11-04 (**CX #: DOI-BLM-NV-WO-01-2011-0034-CX**). The proposed route would be on checkerboard lands-alternate sections of land managed by the BLM and private entities. The 2011 event attracted 45-50 participants with associated family and crew members. Spectators (if any) would not be allowed on the course. Three pit/staging areas are placed as noted on the attached maps.

Last year's event included hosted activities at the National Automobile Museum and John Ascuaga's Nugget (Victorian Plaza).

Some modifications of the route as depicted on the attached map will be made, specifically the elimination of the portion of the route in the vicinity of the chain of small playas north of the start area

Project dimensions: Approximately 200 miles of road and two-track. Acreage: Using an average road width of 10 feet (10 feet x (200 miles x 5280 feet / mile) / 43,560 square feet / acre) = approximately 250 acres

Will the project result in new surface disturbance? No

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Has the project area been previously disturbed? Yes. If yes, what percent of the project area has been disturbed? 100% . If only part of the project area has been disturbed, indicate disturbed area on map. Describe disturbance (and attach photo of disturbed area if you have one):

6. Legal Description:

| | | | | | |
|---|--|--|---|---|--|
| T20N R25E Sec. 4,5,7 | T21N R25E Sec.5,6,8,11,20 29,32 | T22N R25E Sec.6,18,19,30 31 | T22N R24E Sec. 1,12 | T23N R24E Sec.12,13,24 25,36 | T23N R25E Sec.1,2,3,5,7 11,12,14,15 21,29,30,31 |
| T24N R25E Sec. 33,34 | T23N R26E Sec. 6 | T24N R26E Sec.1,11,12,13 14,22,23,28,29 31,32 | T24N R27E Sec. 5,6 | T25N R27E Sec.23,24,26 27,28,32,33 | T25N R28E Sec. 1,2,3,9,10,17 18,19 |
| T26N 29E Sec. 1,2,3,12 13,23,24,25,27 28,31,32,33,34 35 | T26N R30E Sec.4,5,7,8,18 19 | T27N R29E Sec.18,19,30,32 33,34 | T27 N R39E Sec. 4,9,15,16 22,23,26,27, 33,34 | T27N R28E Sec.1,4,5,6,9 10,11,12,13 | T28N R28E Sec.1,2,7,8,9 10,11,17,18 19 |
| T29N R28E Sec.24,25,36 | T29N R29E Sec.11,12,14,17 19,21,22,23,26 27 | T29N R30E Sec.05,07,08 | T30N R30E Sec.25,26 27,32,33,34 | T30N R31E Sec.19,30 31,32 | T29N R31 Sec.5,9,10 13,14,15 |
| T29N R32E Sec.17,18,20 29,32,33 | T28N R32E Sec. 5,6,7 | T28N R31 Sec. 12,13,14,22,23 27,28,32,33 | T27N R31E Sec. 5,6,8 | | |

USGS 24k Quad name:

| | |
|------------------------|---------------------|
| Fernley East | Two Tips |
| Juniper Pass | Nixon |
| Black Warrior Peak | Telephone Wells |
| Russell Peak | Jessup |
| Ragged Top Mountain SW | Ragged Top Mountain |
| Toulon Peak | Trinity Peak |
| Loury Well | Seven Troughs SE |
| Trinity Pass | West Lovelock |
| Seven Troughs | Poker Brown Springs |
| Arabia | Oreana NW |
| Natchez Springs | Trinity NW |

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100k map name:

Reno Carson City Lovelock

Land Status: BLM XX Private XX Other

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Part I: Plan Conformance Review

The proposed Action is subject to the:

- ☐ Paradise-Denio Management Framework Plan
- ☒ Sonoma-Gerlach Management Framework Plan
- ☐ Black Rock Desert-High Rock Canyon Emigrant Trails NCA and Associated Wilderness and Other Contiguous Lands in Nevada RMP

(The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM Manual 1617.3).

Part II: NEPA Review

Categorical Exclusion Review: This Proposed Action qualifies as a categorical exclusion under:

☐ 43 CFR 46.210 DOI Implementation of NEPA of 1969, Listing of Departmental Categorical Exclusions (*formerly 516 DM2 Appendix 1*) (Define Exclusion – see lists available at: S:\NEPA_2010\NEPA Templates 2010\CX\CX Lists\ DOI CXs)

☒ 516 DM11.9, (BLM) H.1. Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails or in areas authorized in a land use plan.

ESA and BLM Sensitive Status Species

| Evaluation Criteria | Yes | No |
|--|--------------------------|--------------------------|
| 1. Are species listed under the Endangered Species Act likely to occur in the project area? If yes, list the species in Table 1 below. Verify with USFWS or use approved list. | <input type="checkbox"/> | X |
| 2. Are BLM NV Sensitive Species, based upon the current IM, likely to occur in the project area? If yes, list the species in the Table 1 below. | X | <input type="checkbox"/> |
| 3. Could the proposed action result in “take” under the Migratory Bird Treaty Act? If yes, attach appropriate mitigation measures. | X | <input type="checkbox"/> |

Table 1. Special Status Species that may occur in the project area:

| ESA | BLM | Common (Scientific) Name | May Be Affected? | Mitigation for BLM Sensitive Species (<i>Attach ESA Section 7 Compliance to Form</i>) |
|--------------------------|-----|--|--------------------------------------|--|
| <input type="checkbox"/> | X | Lahonton milkvetch (<i>Astrogalus porrectus</i>) | X Yes <input type="checkbox"/> No | Staying on established roads and previously disturbed areas will keep impacts to any sensitive plant species to a minimum. |
| <input type="checkbox"/> | X | Burrowing owl (<i>Athene cunicularia</i>), loggerhead shrike (<i>Lanius ludovicianus</i>), and vesper sparrow (<i>Pooecetes gramineus</i>) | X Yes <input type="checkbox"/> No | See recommendation below. |

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| | | | | |
|--------------------------|--------------------------|--|---|--|
| <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
|--------------------------|--------------------------|--|---|--|

Table 2 Migratory Bird Treaty Act Consideration

| Potential MBTA Species w/in the Project Area Common (<i>Scientific</i>) Name | May Be Affected? | Proposed Mitigation |
|---|--|---|
| Black-throated sparrow (<i>Amphispiza bilineata</i>), Brewé's blackbird (<i>Euphagus cyanocephalus</i>), Brewer's sparrow (<i>Spizella breweri</i>), canyon wren (<i>Catherpes mexicanus</i>), gray flycatcher (<i>Empidonax wrightii</i>), green-tailed towhee (<i>Pipilo chlorurus</i>), rock wren (<i>Salpinctes obsoletus</i>), sage sparrow (<i>Amphispiza belli</i>), sage thrasher (<i>Oreoscoptes montanus</i>), western meadowlark (<i>Sturnella neglecta</i>), and vesper sparrow (<i>Pooecetes gramineus</i>), canyon wren (<i>Catherpes mexicanus</i>), gray flycatcher (<i>Empidonax wrightii</i>), green tailed towhee (<i>Pipilo chlorurus</i>), rock wren (<i>Salpinctes obsoletus</i>), sage sparrow (<i>Amphispiza belli</i>), sage thrasher (<i>Orescoptes montanus</i>), and western meadowlark (<i>Sturnella neglecta</i>) | X Yes <input type="checkbox"/> No | <p>A one-time event in 2012 of this nature (ie # of vehicles, level of noise and limited speeds), is unlikely to have detrimental impacts on the migratory bird population.</p> <p>However, since actual impacts to migratory birds are unknown, further research should be conducted prior to allowing this activity to continue in subsequent years during the nesting season.</p> <p>This research is recommended to gain an understanding of whether this type of activity could be having an impact on the migratory bird population and to inform future decisions.</p> |

The Proposed Action has been reviewed to determine if any exceptions described in 43 CFR 46.215 Categorical Exclusions: Extraordinary Circumstances apply. (See attached page)

Mitigation Measures/Remarks: See Attached

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Part III: DECISION: I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no other environmental analysis is required. Project authorization is subject to mitigation measures identified above.

Remarks reserved for authorized officer:

Authorized Official__\s\Michael Truden

Date: 04-26-2012

(Signature)

Administrative Review or Appeal Opportunities

A person who wishes to appeal to the Interior Board of Land Appeals must do so under 43 CFR 4.411 and must file in the office of the officer who made the decision (not the board), in writing to [name and title of authorized official signing this CX], Black Rock Field Office, 5100 East Winnemucca Boulevard, Winnemucca, Nevada 89445. A person served with the decision being appealed must transmit the notice of appeal in time to be filed in the office where it is required to be filed within thirty (30) days after the date of service.

The notice of appeal must give the serial number or other identification of the case and may include a statement of reasons for the appeal, a statement of standing if required by § 4.412(b), and any arguments the appellant wishes to make. Form 1842-1 provides additional information regarding filing an appeal.

No extension of time will be granted for filing a notice of appeal. If a notice of appeal is filed after the grace period provided in §4.401(a), the notice of appeal will not be considered and the case will be closed by the officer from whose decision the appeal is taken. If the appeal is filed during the grace period provided in §4.401(a) and the delay in filing is not waived, as provided in that section, the notice of appeal will not be considered and the appeal will be dismissed by the Board.

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The appellant shall serve a copy of the notice of appeal and any statements of reason, written arguments, or briefs under §4.413 on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, Pacific Southwest Regional Solicitor, U.S. Department of the Interior, 2800 Cottage Way, Room E-2753, Sacramento, California 95825-1890. Service must be accompanied by personally serving a copy to the party or by sending the document by registered or certified mail, return receipt requested, to the address of record in the bureau, no later than 15 days after filing the document.

In addition, within thirty (30) days of receipt of this decision you have the right to file a petition for a stay together with your appeal in accordance with the regulations at 43 CFR 4.21. The petition must be served upon the same parties specified above.

Pursuant to 43 CFR 4.47I(c), a petition for stay, if filed, must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;